

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:	:	Case No. 16-70837-JAD
	:	
Clair E. Kelly and	:	Chapter 13
Brenda S. Kelly,	:	
Debtor(s).	:	Doc. No.
_____	:	
	X	
Clair E. Kelly and	:	
Brenda S. Kelly,	:	
Movant(s),	:	Related to Doc. No. 7
	:	
v.	:	
	:	
Bank of America, and Ronda J.	:	
Winnecour Esquire, Chapter 13	:	
Trustee,	:	
Respondents.	:	
_____	:	
	X	

ORDER REGARDING COMPLIANCE WITH LOSS MITIGATION PROGRAM

A Loss Mitigation Order dated December 21, 2016, was entered in the above matter at Document No. 7 ("LPM Authorization Order"), wherein the Debtor were authorized to enter into the Court's Loss Mitigation Program ("LMP"). The record reflects that the LMP Authorization Order was entered well in excess of two hundred and ten (210) days ago. Absent extraordinary circumstances, more than sufficient time has elapsed for the Debtor and creditor/Respondent to negotiate a consensual loss mitigation settlement and/or mortgage modification. Under these circumstances, the Debtor and counsel to the Debtor is **directed, not later than October 13, 2017**, to:

1. File a Status Report summarizing the history and current situation regarding the LMP, including the ***extraordinary circumstances*** causing the failure of the Debtor and creditor/Respondent[s] to negotiate a consensual loss mitigation settlement and/or mortgage modification; **or**
2. If the LMP has expired, the case is closed, or if a consensual resolution has occurred, file a Final Report with respect to the LMP, regardless of whether the case was subsequently dismissed or converted, in accordance with W.PA.LBR 9020-4(f).

Failure to comply with the terms of this Order may result in the imposition of sanctions. While the Court does not desire to impose sanctions, the Court does desire open LMP matters to progress to completion. If a party to the LMP has not been cooperating or proceeding in good faith, the Court expects the counterparty to bring the matter to the attention of this Court for resolution.

SO ORDERED.

Dated: September 14, 2017

BY THE COURT,

/s/Jeffery A. Deller
JEFFERY A. DELLER
Chief United States Bankruptcy Judge

Court Administrator to serve:
Debtor(s) Counsel
Debtor(s)
Respondent(s) Counsel
Chapter 13 Trustee

FILED
9/14/17 12:08 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA

Certificate of Notice Page 3 of 3
United States Bankruptcy Court
Western District of Pennsylvania

In re:
Clair E Kelly
Brenda S Kelly
Debtors

Case No. 16-70837-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-7

User: mgut
Form ID: pdf900

Page 1 of 1
Total Noticed: 1

Date Rcvd: Sep 14, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 16, 2017.
db/jdb +Clair E Kelly, Brenda S Kelly, 233 Hillcrest Street, Northern Cambria, PA 15714-1508

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 16, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 14, 2017 at the address(es) listed below:

James Warmbrodt on behalf of Creditor BANK OF AMERICA, N.A. bkgroup@kmlawgroup.com
Kenneth P. Seitz on behalf of Joint Debtor Brenda S Kelly thedebterasers@aol.com
Kenneth P. Seitz on behalf of Debtor Clair E Kelly thedebterasers@aol.com
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour cmecf@chapter13trusteewdpa.com

TOTAL: 5